

Application Serial No.: 10/643,211  
Amendment dated April 24, 2006  
Responsive to Official Action dated December 22, 2005

### REMARKS

The Official Action dated December 22, 2005, has been carefully considered. Applicant wishes to thank the Examiner for the indication of allowance for claims 10 and 11. Consideration of the changes and remarks presented herein and reconsideration of the rejections are therefore respectfully requested. Claims 1 and 7-12 have been amended. Claim 10 has been rewritten into independent form. Claims 2 and 16-19 were cancelled by prior amendment. It is believed that these changes do not involve any introduction of new matter, and thereby entry is believed to be in order and is respectfully requested. Claims 1, 3-15 and 20-23 remain in the application for consideration.

Applicant wishes to thank the Examiner for taking the time to interview this application by telephone with the undersigned on April 20, 2006 and April 21, 2006. During the interview, independent claims 1 and 8 were discussed. In addition, Michaud (U.S. Patent No. 950,859), Vosbikian (U.S. Patent No. 3,469,710) and Great Britain Patent 1,291,401 ("GB '401") were reviewed and discussed in light of the pending Official Action. The amendments to claims 1 and 8 reflect changes which the Applicant and Examiner appear to agree overcome the pending rejections in light of the prior art discussed and do not require additional searching or raise new issues. In light of the discussions from the interview with the Examiner, Applicant has prepared the following remarks.

In the Official Action, claims 9 and 12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicant traverses these rejections on the basis that claims 9 and 12 have been amended to recite structure and provide antecedent basis. As such, Applicant believes these rejections have been overcome and respectfully requests

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reconsideration.

Claims 1, 3-5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Michaud. The Examiner asserts that Michaud teaches a hook (h,i,j) and a body (B) having a bottom wall, side walls, an aperture through which the hook extends, and protrusions (f) that contact the hook.

However, as will be set forth in detail below, it is submitted that the support brackets as defined by claims 1, 3-5 and 7 are not anticipated by and are patentably distinguishable over Michaud. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

Independent claim 1, from which claims 3-7 depend, recites a support bracket for a hanger bar. The support bracket includes a body. The body has a bottom wall, opposing side walls, an aperture and at least two protrusions. The opposing side walls each include proximate ends having at least one mounting tab extending from a respective side wall in a direction parallel to a longitudinal axis of the body. The aperture is configured to receive a first portion of a support hook. The aperture is located in the bottom wall. The at least two protrusions are configured to secure the support hook to the body.

Michaud discloses appliances adapted to be mounted on a porch or balcony of an apartment house for supporting in horizontal arrangement and a plurality of clothes lines all of which are moveable on independent supports of the appliances (page 1, lines 10-16).

Rejection for anticipation or lack of novelty requires, as the first step in the query, that all elements of the claimed invention be described in single reference. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989), *cert. denied*, 493 U.S.P.Q.853 (1989). Michaud fails to teach a support bracket as presently recited in

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independent claim 1. Michaud does not teach or suggest a support bracket having opposing side walls each including proximate ends having at least one mounting tab extending from a respective side wall in a direction parallel to a longitudinal axis of the body. Rather, Michaud teaches a track bar (B) where a carrier block (C) having a hook can be inserted along one end such that the carrier block can slide back and forth along the track bar (see Figs. 3 and 4). Michaud does not teach the track bar having side walls including proximate ends having at least one mounting tab extending from the respective side wall in a direction parallel to the longitudinal axis of the body. Therefore, Michaud does not anticipate the support bracket as taught in the present invention. Accordingly, Applicant respectfully requests reconsideration and allowance of claims 1, 3-5 and 7.

In the Official Action, claims 1 and 3-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vosbikian in view of Willits, Jr. (U.S. Patent No. 3,191,777). The Examiner contends that Vosbikian discloses a body (1), apertures (7,8,9), protrusions (6), walls (4), bottom wall (5) and slots in the side wall (7,8,9). Moreover, the Examiner asserts that bracket as disclosed in Vosbikian is capable of being configured to engage a standard. However, the Examiner notes that Vosbikian does not teach the use of protrusions. Thus, the Examiner relies on Willits, Jr., where the Examiner asserts that Willits, Jr. discloses a hook mounted in an aperture and firmly held in place by engagement between the hook and the protrusions (56,57). Thus, the Examiner contends that it would have been obvious to modify Vosbikian whereby the channels are shallower so that protrusions (6) firmly engage the hook portion (10) when the hook has been put in place; or provide protrusion in the channel to firmly engage the hook portion to hold the hook, both scenarios being suggested by Willits, Jr.

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However, as will be set forth in detail below, it is submitted that the support bracket as defined by claims 1 and 3-7 are nonobvious and patentably distinguishable over Vosbikian in view of Willits, Jr. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

The Vosbikian reference generally relates to a bracket and hook assembly (col. 1, lines 10-11). More particularly, Vosbikian discloses that the hooks have a base portion which extend through a lateral slot in the bracket and are retained by flexible sides in a rear channel so that the hooks can pivot relative to the bracket (col. 1, lines 33-36). In addition, Vosbikian teaches that the bracket plate is retained on a wall or ceiling by means of either a strippable coating or fastening means, such as screws (col. 1, lines 65-68).

Willits, Jr. generally teaches flexible, perforated display or storage panels structurally adapted to serve as display, storage similar members (col. 1, lines 8-10).

References relied upon to support a rejection under 35 U.S.C. §103 must provide an enabling disclosure, i.e., they must place the claimed invention in the possession of the public. *In re Payne*, 203 U.S.P.Q. 245 (CCPA 1979). As indicated by the Examiner, Vosbikian fails to teach a support bracket having a body with at least two protrusions as presently recited in claim 1. Moreover, Vosbikian fails to teach or suggest a bracket having opposing side walls each including proximate ends having at least one mounting tab extending from a respective side wall in a direction parallel to a longitudinal axis of the body. Vosbikian discloses that the hooks have a base portion which extend through a lateral slot in the bracket and are retained by flexible sides in a rear channel so that the hooks can pivot relative to the bracket (col. 1, lines 33-36). As shown in Fig. 1 of Vosbikian the U-shaped portion of the bracket does not include at least one mounting tab extending from a respective

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side wall in a direction parallel to the longitudinal axis of the body. Rather, the bracket of Vosbikian has an upper surface which extends from an upper edge of a side wall which is not along the longitudinal axis of the body. Thus, Vosbikian fails to teach or suggest the bracket having opposing side walls including proximate ends having at least one mounting tab which extends from a respective side wall in a direction parallel to a longitudinal axis of the body. As such, Vosbikian fails to teach or suggest the present inventive support bracket.

Moreover, the combination of Willits, Jr. with Vosbikian does not rectify the deficiency in Vosbikian. Willits, Jr. also fails to teach or suggest a bracket having opposing side walls each including proximate ends having at least one mounting tab extending from a respective side wall in a direction parallel to a longitudinal axis of the body. Rather, Willits, Jr. discloses having a T-bar (52) inserted into a slot where the cross leg (51) of the T-bar (52) sits between two projections (36,57) to help prevent the movement of the support element (20) as illustrated in Fig. 4. Thus, Willits, Jr. does not teach or suggest a bracket having opposing side walls including proximate ends having at least one mounting tab which extends from a respective side wall in a direction parallel to a longitudinal axis of the body. Applicant therefore submits that the 35 U.S.C. § 103 rejection of the presently claimed support bracket of claims 1 and 3-7 over Vosbikian in view of Willits, Jr. has been overcome. Reconsideration is respectfully requested.

In the Official Action, claims 8, 9, 12-15 and 20-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over GB '401. The Examiner contends that the GB '401 reference discloses a hook (4,5,6) having a middle portion (4) that appears to be in the range of 120-150 degrees from the upper, horizontal portion, and thus, contends that the present inventive support assembly would be an obvious modification. Moreover, the Examiner

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points to the semicylindrical portion (6) and the bracket (1) having an aperture that has converging walls that form protrusions as additional support that it would be obvious to modify this disclosure to reach the present inventive support assembly.

However, as will be set forth in detail below, it is submitted that the support bracket as defined by claims 8, 9, 12-15 and 20-23 are nonobvious and patentably distinguishable over GB '401. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

Independent claim 8, from which claims 9-15 and 20-23 depend, recites a support assembly for supporting a hanger bar, the support assembly having a support hook and a support bracket. The support hook has an upper portion, a lower portion having a semicylinder member configured to support a hanger bar, and a middle portion between the upper and lower portions which extends away from the upper portion at an angle between 120-150 degrees. The support bracket includes a body having an aperture extending through a bottom wall into the interior of the bracket configured to receive the upper portion of the support hook, and at least two protrusions configured to secure the support hook to the body. The upper portion of the hook rests against an interior surface of the bottom wall.

The GB '401 reference generally relates to a support bracket for mounting clothes rails on which to hang articles of clothing (page 1, lines 9-11). More particularly, the GB '401 reference discloses that these brackets have an arm having attachment means at one end for mounting the arm on a substantially vertical mounting surface so as to project substantially normally thereto and that the arm has a longitudinal groove formed in a surface thereof which is the under surface when the arm is mounted on the mounting surface (page 1, lines 29-37).

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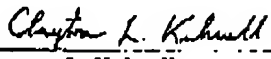
As noted earlier, references relied upon to support a rejection under 35 U.S.C. §103 must provide an enabling disclosure. The GB '401 reference fails to teach or suggest a support assembly as presently recited in independent claim 8. The GB '401 reference does not teach or suggest a support assembly having a support bracket including a body having an aperture extending through a bottom wall into the interior of the bracket configured to receive the upper portion of the support hook, and at least two protrusions configured to secure the support hook to the body, wherein the upper portion of said hook rests against an interior surface of the bottom wall. Rather, GB '401 discloses a support bracket for clothes rails where the upper portion of a support member slides along a groove maintained in the arm (see Figs. 2 and 3). The groove in the arm does not extend through the bottom wall of the arm and further does not rest against an interior surface of the bottom wall. Rather, as stated earlier, the support member of GB '401 is configured to slide along a groove in the arm and not be held in place. Thus, GB '401 fails to teach or suggest a support assembly having a support bracket including a body having an aperture extending through a bottom wall into the interior of the bracket configured to receive the upper portion of the support hook, and at least two protrusions configured to secure the support hook to the body, wherein the upper portion of said hook rests against an interior surface of the bottom wall. As such, GB '401 fails to teach the present inventive support assembly. Applicant therefore submits that the 35 U.S.C. § 103 rejection of the presently claimed support bracket of claims 8, 9, 12-15 and 20-23 over the GB '401 Patent has been overcome. Reconsideration is respectfully requested.

It is believed that the above amendments and remarks represent a complete response to the rejections under 35 U.S.C. §§ 102, 103 and 112, second paragraph, and as such, place the present application and claims 1 and 3-15 and 20-23 in condition for allowance.

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Reconsideration and an early allowance are requested.

Respectfully submitted,

  
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